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July 21, 2020

**VIA ECF**

Honorable Lorna G. Schofield, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Courtroom 1106  
New York, New York 10007

Re: *Harbor House Owners Corp. v. Admiral Indemnity Company*  
Case No. 19-cv-819 (LGS)  
Defendant's File No. 179-20461  
Plaintiff's File No. 17-102

Dear Hon. Judge Schofield:

This firm represents Plaintiff Harbor House Owners Corp. in the above-referenced matter. We write to the Court pursuant to direction from Barton in chambers.

On July 8, 2020, the Court directed the parties to list the confirmed dates for the remaining depositions in this matter [Dkt. No. 83]. This was done on July 15, 2020 [Dkt. No. 86]. The first two depositions scheduled in that letter were Plaintiff's depositions of Defendant's witnesses Richard Starkie on July 17 and Mitch Siegel on July 22. On the morning of July 17, 2020, Defendant busted Richard Starkie's deposition due to the witness's mother having a medical emergency. On Monday, July 20, Defendant busted the deposition of Mitch Siegel scheduled for July 22 due to the witness himself having a medical emergency. Defendant offered to produce Starkie on July 22 in order to attempt to keep the parties on track to finish depositions by next Friday, July 31. Today, Defendant busted Starkie's agreed-upon July 22 deposition as there was apparently a miscommunication between the witness and defense counsel as to the witness's availability. Defendant then offered to produce Starkie on July 23, a date on which another defense witness, Joseph Caggiano, is already scheduled to go forward. Caggiano's deposition was confirmed by both parties this morning prior to Defense counsel advising Plaintiff that Starkie would not be available tomorrow.

Under normal circumstances, Plaintiff would try to be accommodating to these issues. However, with the current deadlines we simply cannot afford to lose this many days. Wherefore, Plaintiff respectfully requests that the Court either: 1.) Issue an Order directing that the depositions go forward as scheduled; or 2.) Issue an Order extending the time in which the parties have to complete fact discovery by thirty (30) days. Defendant has consented to the request for a 30 day extension.

Thank you for your time and attention to this matter.

Respectfully submitted

**WEG AND MYERS, P.C.**

By: /s/Adam S. Cohen

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cc: Via ECF:

Adam Alster, Esq.  
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An Eighth Amended Case Management Plan and Scheduling Order that extends the fact discovery deadline to August 14, 2020, will issue separately. No other deadlines are changed.

SO ORDERED.

Dated: July 22, 2020  
New York, New York



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE